

## **REMARKS**

The Applicants' agent thanks Examiner Le for the telephone interview on June 10, 2009. Examiner Le and the Applicants' agent briefly discussed proposed amendment to claim 1 in lieu of the prior art reference U.S. Patent No. 7,139,423 to Nicolas and in lieu of 35 U.S.C. 101 rejection. With the entry of this Amendment, Claims 1-30 are pending in the present application, of which claims 1, 13 and 20 are in independent form. Claims 1-6, 8, 12, 13-15 17, 19-24 are amended and new claims 29 and 30 are added without adding new matter.

### **I. ALLOWABLE SUBJECT MATTER**

Claims 17-19, 24-26, and 27-28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 8-12 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 101 and to include all of the limitations of the base claim and any intervening claims.

### **II. REJECTION OF CLAIMS UNDER 35 U.S.C. § 101**

The Examiner has rejected claims 1-12 under 35 U.S.C. 101 as allegedly not falling within one of the four statutory categories of invention. Further, the Examiner has also rejected claims 2-12 under 35 U.S.C. 101 as depending from rejected independent claim 1. As per Examiner's suggestion, independent claim 1 is amended to include "image processor", support for which can be found at least in Figures 1 and 2 of the present application as filed. Thus, this rejection of claims 1-12 under 35 U.S.C. 101 is now obviated.

### **III. REJECTION OF CLAIMS 1-5, 7, 13-14, 16 AND 20-22**

The Examiner has rejected claims 1-5, 7, 13, 14, 16, 20-23 under 35 U.S.C. § 103 (a) as being unpatentable over Franke et al., Autonomous Driving Goes Downtown, IEEE Intelligent Systems, 1998 (hereinafter “*Franke*”) in view of U.S. Patent No. 7,139,423 to Nicolas et al. (hereinafter “*Nicolas*”).

Independent claims 1, 13 and 20 have been amended to add the limitations of the objected to claims 8, 17 and 24 respectively. Thus, this rejection of claims 1, 13 and 20 is deemed obviated and claims 1, 13 and 20 are now in condition for allowance.

Since independent claims 1, 13 and 20 have been amended to be placed in condition for allowance, the rejection of pending dependent claims 2-5, 7, 14, 16, 21-23 is deemed obviated and are also in condition for allowance.

### **III. Rejection of Claims 6, 15 and 23**

Claims 6, 15 and 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Franke* and *Nicolas* as applied to claims 1, 13 and 20 above, and further in view of *Yang*. Applicants respectfully disagree.

The rejection of such claims was made based on an application of *Franke* and *Nicolas*, plus an additional application of *Yang* for elements that the Examiner recognizes are not disclosed by combination of *Franke* and *Nicolas*. Applicants believe that the application of *Franke* and *Nicolas* to such claims was made in a way that is incorrect as indicated above with respect to claims 1, 13 and 20. Thus, there are still elements of the claims that are not taught or suggested by the references, even if *Franke* and *Nicolas* were to be combined with *Yang*. Thus, applicants respectfully request withdrawal of the §103 rejection of Claims 6, 15 and 23.

**CONCLUSION**

In view of the above amendment and remarks, Claims 1-30 are submitted to be allowable. Applicant's undersigned agent may be reached at the telephone number provided below. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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